

CITY OF ALTOONA COUNCIL MEETING  
MONDAY, DECEMBER 3, 2018, 6:30 P.M.  
AT THE ALTOONA CITY HALL

1. CALL TO ORDER

Roll Call at 6:30 pm

Mayor O'Connor- present

Duer - present

Mertz- present

Boka - present

Leighter - absent

Willey - present

City Officials Present: Jeff Mark, Greg Stallman, Jared Ogbourne, John Shaw, Jon Hanson, Jim Utter, Jason Ferguson, Tony Chambers, Todd Trobaugh, Amy Hill, City Attorney Bob Laden

Audience Present: Matt Forest, Emmersyn Forest, Gary McLain, Lynn Bedford, Barbara Wilson, David Cusic, Larry Hyler, Alex Payne, Austin Fickbohm, Owen McDaniel, Chad McDaniel, Matt Sexton

2. Perfecting and approval of the agenda

Mayor Dean O'Connor requested approval of the agenda as presented.

Roll Call Vote:

2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)

3. Approval of November 19 and 26, 2018 Council Minutes

Roll Call Vote:

Y Boka 1 Duer A Leighter 2 Mertz Y Willey (4-0)

4. Citizens request to address council

\*Matt Sexton, 603 14<sup>th</sup> Ave. NW, introduced himself to the council as the new person handling community relations for Facebook.

5. Introduction of K-9 Judge from Altoona Police Department

Lieutenant Todd Trobaugh introduced K-9 Officer Judge.

6. Public Hearing to consider an ordinance for Chapter 177 - Flood Plain Management

Public Utilities Director Jim Utter explained this is a public hearing to consider an ordinance regarding flood plain management. On February 1, 2019, the FEMA Flood Insurance Rate Maps will become effective. The purpose of this ordinance is to protect and preserve the rights, privileges and property of the City of Altoona and its residents. The provisions of the ordinance apply to all lands and property within the Official Floodplain Zoning Map and will allow property owners to purchase flood insurance.

Hearing opened at 6:36pm

Comments: No one came forward to speak.

Hearing closed at 6:37pm

7. Ordinance #12-03-2018 #01 (503) TO AMEND CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 177 (FLOOD PLAIN MANAGEMENT)(1<sup>ST</sup> READING)

Roll Call Vote (1<sup>st</sup> Reading):

Y Boka Y Duer A Leighter 2 Mertz 1 Willey (4-0)

Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):

2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)

Roll Call Vote (To publish):

1 Boka Y Duer A Leighter Y Mertz 2 Willey (4-0)

8. **Public Hearing to consider an ordinance amendment for Chapter 165 - Zoning Code (pertaining to flood plain management)**  
Community Development Director John Shaw shared this is a public hearing to consider an amendment to Chapter 165 - Zoning Code (pertaining to flood plain management). This zoning amendment is a required step in the process of complying with the Flood Plain Management Ordinance in the previous agenda item. This amendment provides for a floodway overlay district as identified by FEMA and includes the flood zone overlay districts on the zoning map.  
Hearing opened at 6:38pm  
Comments: No one came forward to speak.  
Hearing closed at 6:39pm
9. **Ordinance #12-03-2018 #02 (504) TO AMEND CITY OF ALTOONA CODE OF ORDINANCES CHAPTER 165 (ZONING CODE)(1<sup>ST</sup> READING)**  
Roll Call Vote (1<sup>st</sup> Reading):  
Y Boka 2 Duer A Leighter Y Mertz 1 Willey (4-0)  
Roll Call Vote (To waive 2<sup>nd</sup> & 3<sup>rd</sup> Reading):  
Y Boka 2 Duer A Leighter Y Mertz 1 Willey (4-0)  
Roll Call Vote (To publish):  
Y Boka 2 Duer A Leighter Y Mertz 1 Willey (4-0)
10. **Public Hearing to consider Plans, Specifications and form of contract for 1<sup>st</sup> Avenue Reconstruction Project (Jon)**  
City Engineer Jon Hanson stated on November 20<sup>th</sup>, 2018, the City received bids for the 1<sup>st</sup> Avenue Reconstruction Project between 2<sup>nd</sup> Street SW and 2<sup>nd</sup> Street NW. Seven proposals were received with a low bid of \$1,916,121.48. The engineers estimate was \$2,075,000. The low bid was submitted by Iowa Civil Contracting Inc. of Victor, Iowa.  
Hearing opened at 6:42pm  
Comments: No one came forward to speak.  
Hearing closed at 6:43pm
11. **Resolution #12-03-2018 #01 APPROVING THE PLANS, SPECIFICATIONS, AND FORM OF CONTRACT FOR 1<sup>ST</sup> AVENUE RECONSTRUCTION PROJECT**  
Roll Call Vote:  
Y Boka 2 Duer A Leighter 1 Mertz Y Willey (4-0)
12. **Resolution #12-03-2018 #02 APPROVING THE CONTRACT AND BOND FOR 1<sup>ST</sup> AVENUE RECONSTRUCTION PROJECT**  
Council Member Vern Willey motioned approval subject to Bob Laden reviewing the contract and bond.  
Roll Call Vote:  
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
13. **Resolution #12-03-2018 #03 AWARDING THE CONTRACT FOR 1<sup>ST</sup> AVENUE RECONSTRUCTION PROJECT**  
Council Member Jeremy Boka motioned approval subject to Bob Laden reviewing the contract and bond.  
Roll Call Vote:  
1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)
14. **Public Hearing to consider approving a Letter of Intent to purchase property located at 8700 NE 46<sup>th</sup> Avenue, Altoona, Iowa**  
City Attorney Bob Laden explained the terms stated in the letter only serve as an indication of the City's interest in purchasing all of the assets of LJPC II, LLC. The actual terms and conditions will be set forth in the duly negotiated and executed written purchase agreement between the parties. In general, the City is agreeing to purchase the land, golf course buildings, and irrigation

system, the name rights to Terrace Hills Golf Course and all related equipment and amenities. The purchase price is a down payment of \$1,542,500 anticipated to be made in December of 2019. The balance of \$1,542,500 will be paid over a period not to exceed 10-years with simple interest of 4.50%.

Hearing opened at 6:45pm

Comments: Gary McLain, 831 Elmwood Ct., expressed he would prefer the City not purchase the golf course but if no other party would be purchasing the golf course to keep the golf course than he is okay. Mayor O'Connor stated that goal is for the golf course to be self-sustaining.

Hearing closed at 6:46pm

15. Consider approval of letter of intent to purchase property located at 8700 NE 46<sup>th</sup> Avenue, Altoona, Iowa  
Roll Call Vote:  
2 Boka Y Duer A Leighter 1 Mertz Y Willey (4-0)
16. Resolution #12-03-2018 #04 TO CONSIDER A SITE PLAN ADDITION FOR FACEBOOK STORAGE BUILDING  
Director Shaw shared the applicant, Siculus, Inc. is seeking site plan approval for 1,800 sf. addition onto a storage building. The addition is located on the west end of building #2, and on the south end of the storage building.  
Roll Call Vote:  
1 Boka Y Duer A Leighter Y Mertz 2 Willey (4-0)
17. Resolution #12-03-2018 #05 TO CONSIDER A FINAL PLAT FOR VANDEHAAR FAMILY 20 (COUNTY PLAT)  
Director Shaw explained the owner of the property located on NE 64<sup>th</sup> Street, south of Altoona, is seeking approval of a county plat for Vandehaar Family 20. The proposal is to subdivide the property into two buildable single-family residential lots and one large Outlot.  
Roll Call Vote:  
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
18. Request of Altoona Girls Softball to place a banner promoting sign-ups for 10 days in mid-December  
Roll Call Vote:  
2 Boka Y Duer A Leighter 1 Mertz Y Willey (4-0)
19. Consider request for additional funds in the footing drain grant program  
Director Utter explained the footing drain layout for this particular property (109 10<sup>th</sup> St. SE) and costs associated with connecting to the storm sewer. Council Member Willey motioned approval to cover additional costs for this property.  
Roll Call Vote:  
2 Boka Y Duer A Leighter Y Mertz 1 Willey (4-0)
20. Request for reimbursement for late fees paid at Bridlewood Apartments  
City Administrator Jeff Mark explained the property manager of Bridlewood Apartments, located at 108 5<sup>th</sup> Ave. NW, is requesting that their late fee (which they did pay) be reimbursed. The amount of the late fee is \$622.26. They acknowledge that their payment was received a day late. Council Member Jeremy Boka motioned to deny the request.  
Roll Call Vote:  
1 Boka 2 Duer A Leighter Y Mertz Y Willey (4-0)
21. Consent Agenda
  - A) Allow bills
  - B) Capital Projects
    - B1) Change Order #2 - Two Rivers Group, Inc. - Altoona Community Center - \$3,033.97

- B2) Pay App #1 - Iowa Signal, Inc. - 1<sup>st</sup> Ave. & Ext. 142 Traffic Signalization - \$121,810.35
- B3) Pay App #1 - Halbrook Excavating - 1<sup>st</sup> Ave. Utilities Project 2018 - \$224,753.49
- B4) Final Pay App - Howser Concrete Services, LLC. - 8<sup>th</sup> St. SW 36<sup>th</sup> Ave. SW Intersection Improvements Project - \$9,060.00
- B5) Pay App #1 - Iowa Civil Contracting, Inc. - Adventureland Drive Pavement Rehabilitation - \$158,324.11
- C) Consider appointing the City of Altoona's representation to the WRA Board (Primary: Vern Willey; Alternate: Leighter) and WRA Tech Committee (Primary: Jim Utter; Alternate: Todd Allen)
- D) Consider appointing representatives to Mud/Camp/Spring Creek Watershed Management Authority (Primary - Vern Willey; Alternate - Karen Oppelt)
- E) Request for Altoona Public Library to apply for Facebook Grant
- F) Agreement for cooperative public service between Polk County, Iowa and City of Altoona, Iowa
- G) Resolution #12-03-2018 #06 ACCEPTING PUBLIC IMPROVEMENTS (8<sup>TH</sup> ST. SW CORRIDOR & 36<sup>TH</sup> AVE. SW INTERSECTION IMPROVEMENTS PROJECT)
- H) Resolution#12-03-2018 #07 APPROVING TAX ABATEMENT REQUESTS
- I) Resolution #12-03-2018 #08 AUTHORIZING THE CITY OF ALTOONA TO SUBMIT AN APPLICATION FOR FUNDING FROM THE FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) TO THE DES MOINES AREA METROPOLITAN PLANNING ORGANIZATION (MPO)
- J) Set public hearing for Monday, December 17, 2018 at 6:30 pm to amend Chapter 92.05 and 92.06 regarding utility bills
- K) Set public hearing for Monday, December 17, 2018 at 6:30 pm to amend Chapter 65.02 and 65.04 to remove stop signs on 1<sup>st</sup> Street East at 7<sup>th</sup> Avenue and add them at 8<sup>th</sup> Avenue
- L) Set public hearing for Monday, December 17, 2018 at 6:30 pm to amend Chapter 100 (Commercial Waste Ordinance)

Roll Call Vote:

2 Boka Y Duer A Leighter 1 Mertz Y Willey (4-0)

## 22. Beer & Liquor Permits

- A) Prairie Meadows Racetrack and Casino - Class C Liquor License (LC)(Commerical), Catering Privilege Class B Wine Permit (Carryout Wine - Includes Native Wine), Sunday Sales and Outdoor Sales

Lieutenant Jason Ferguson stated there were no violations at this location.

Roll Call Vote:

2 Boka 1 Duer A Leighter Y Mertz Y Willey (4-0)

- B) Prairie Meadows Racetrack and Casino - Class E Liquor License (LE) and Sunday Sales

Lt. Ferguson stated there were no violations at this location.

Roll Call Vote:

2 Boka 1 Duer A Leighter Y Mertz Y Willey (4-0)

- C) HyVee Fast and Fresh - (NEW begin 12-29-18) - Class E Liquor License (LE), Class B Wine Permit (Carryout wine includes native wine), Class C Beer Permit (Carryout Beer)

Lt. Ferguson stated there were no violations at this location.

Roll Call Vote:

2 Boka 1 Duer A Leighter Y Mertz Y Willey (4-0)

## 23. Department Head Reports & Updates

The following gave updates: Police Department - Greg Stallman, Fire Department - Jared Ogbourne, Public Utilities - Jim Utter, Engineering - Jon Hanson, Community Development - John Shaw, Administration - Jeff Mark

## 24. General Business

\*Council Member Willey provided council with a regional water update.

25. Adjourn at 7:08pm

Roll Call Vote:

Y Boka 1 Duer A Leighter P Mertz 2 Willey (3-0-1)

Attest to:

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Amy S. Hill, Secretary

\_\_\_\_\_  
Dean O'Connor, Mayor